

The TN Lawful Employment Act

The Tennessee Lawful Employment Act took effect January 1, 2012, and requires all employers to obtain lawful resident/employment authorization information. The amendment is Public Chapter No. 436 and can be viewed at www.tn.gov/sos/acts/107/pub/pc0436.pdf.

A non-employee is an individual, other than an employee, who is paid directly by the employer for the individual's labor or services. If your place of business contracts services from an outside entity that operates as an LLC or Corporation no action is required to verify that company's employees. If you contract services from an individual then your company must request the non-employee to provide one of these documents.

For employers without Internet access who wish to participate, the law will allow the employer to enter into an agreement with the TN Department of Labor & Workforce Development to permit this agency to enroll the employer in the E-Verify program and conduct employment verification checks for their new hires. **There is no charge for this service.**

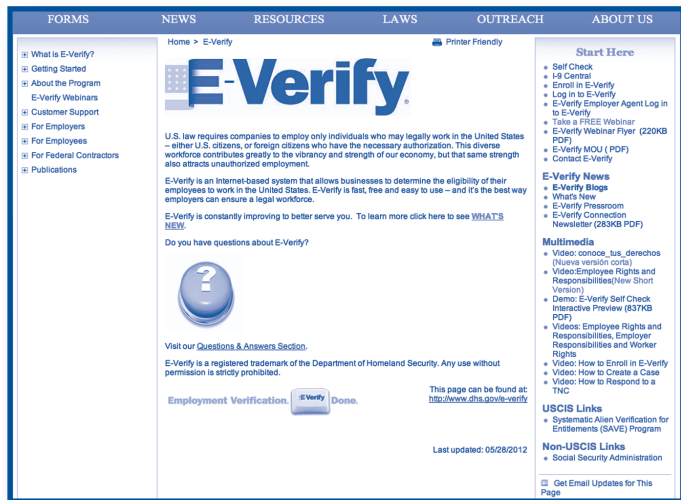
Ways to Validate Legal Workforce

- 1) Enrolling and verifying the employment eligibility of all new hires through the E-Verify program, **OR**
- 2) Requesting all newly hired employees and "non-employees" to provide one of the following identity and employment authorization documents:
 - A valid Tennessee driver's license or photo ID
 - A valid driver's license or photo ID from another state where requirements are at least as strict as those in Tennessee
 - A birth certificate issued by a U.S. state, jurisdiction, or territory
 - A U.S. government-issued certified birth certificate
 - A valid, unexpired U.S. passport
 - A report of birth abroad of a U.S. citizen (FS-240)
 - A U.S. certificate of birth abroad (DS-1350 or FS 545)
 - A certificate of citizenship (N560 or N561)
 - A certificate of naturalization (N550, N570 or N578)
 - A U.S. citizen identification card (I-197 or I-179)
 - A valid alien registration documentation or other proof of current immigration registration recognized by the U.S. Dept. of Homeland Security that contains the individual's complete legal name and current alien admission number or alien file number (or numbers if the individual has more than one number)



E-VERIFY is an Internet-based system that allows an employer to determine eligibility of an employee to work in the United States by using information reported on that employee's Form I-9, Employment Eligibility Verification. There is no charge for employers to utilize E-Verify.

Enroll Online at: www.dhs.gov/E-Verify



E-Verify is a partnership between the U.S. Department of Homeland Security and The Social Security Administration. U.S. Citizenship and Immigration Services (USCIS) oversees the program.

E-Verify provides:

- **Instant Results** - Employment eligibility results for most employees are displayed in seconds.
- **Compliance Peace of Mind** - Companies that properly use E-Verify get a “rebuttable presumption” that they are in compliance with Form I-9 and employment eligibility laws.
- **Interactive Training** - The E-Verify program offers a comprehensive online tutorial as well as quick-reference guides, user manuals, and other publications to assist users.
- **Customer Service** - You are never on your own with E-Verify. E-Verify customer support is available to provide you with technical and program assistance.